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8
9 **UNITED STATES DISTRICT COURT**
10 **DISTRICT OF NEVADA**

11 FNB-N-RESCON I LLC, a Delaware limited
12 liability company,

13 Plaintiff,

14 vs.

15 JOHN A. RITTER, individually; JOHN A.
16 RITTER, AS TRUSTEE OF THE MUSTANG
17 TRUST,

18 Defendants.

19 FNB-N-RESCON I LLC, a Delaware limited
20 liability company,

21 Plaintiff,

22 vs.

23 JOHN A. RITTER, individually,

24 Defendant.

25 FNB-N-RESCON I LLC, a Delaware limited
26 liability company,

Plaintiff,

Case No. 2:11-cv-01867 JAD-VCF
Consolidated with 2:11-cv-01868--JAD-VCF

**STIPULATION AND
ORDER OF DISMISSAL WITHOUT
PREJUDICE**

VS.

JOHN A. RITTER, individually; JOHN A. RITTER, AS TRUSTEE OF THE MUSTANG TRUST; FOCUS INVESTMENT MANAGER, LLC, a Nevada limited liability company,

Defendant.

STIPULATION AND ORDER OF DISMISSAL WITHOUT PREJUDICE

Plaintiff FNBN-RESCON I, LLC, through their attorneys of record, the law firms of Quarles & Brady LLP and Smith Larsen & Wixom, Chd. (“Plaintiff”), and Defendants John A. Ritter, individually and as Trustee of the Mustang Trust, and Focus Investment Manager, LLC, through their attorneys of record, the law firm of Reid Rubinstein and Bogatz (collectively “Defendants”), HEREBY STIPULATE AND AGREE AS FOLLOWS:

1. Plaintiff and Defendants have entered into a Settlement Agreement, pursuant to which Plaintiff and Defendants have agreed to resolve their dispute and this litigation; and

2. Pursuant to the Settlement Agreement, although the first priority loans at issue in this litigation have not been extinguished or resolved, the parties have agreed to dismiss the pending claims without prejudice, with each party to bear its own fees and costs.

ORDER

Based on the parties' stipulation, IT IS HEREBY ORDERED that this action is DISMISSED without prejudice, each side to bear its own fees and costs. The Clerk of Court is instructed to close this case.

Dated: September 30, 2015.


D. Rogers

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1	DATED this 30th day of September, 2015.	DATED this 30th day of September, 2015.
2	QUARLES & BRADY LLP	REID RUBINSTEIN & BOGATZ
3		
4	By: <u>/s/ James L. Burke</u>	By: <u>/s/ Charles M. Vlasic III</u>
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6	Nevada Bar No. 4539	Charles M. Vlasic III, Esq.,
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12	-and-	<i>Attorneys for Defendants</i>
13	SMITH LARSEN & WIXOM, CHD Michael B. Wixom, Esq., Nevada Bar No. 2812 1935 Village Center Circle Las Vegas, Nevada 89134	
14	<i>Attorneys for Plaintiff FNBN-RESCON I LLC</i>	

ORDER

BASED UPON THE FOREGOING, IT IS SO ORDERED:

UNITED STATES DISTRICT JUDGE

DATED: _____